

Before the  
FEDERAL COMMUNICATIONS COMMISSION  
Washington, DC 20554

Received & inspected

APR 26 2013

In re matter of

CALIFORNIA RADIO PARTNERS

Refund of Long Form Application Fee

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MD Docket No. 13-163

FRN 0003763364

FCC Mail Room

To: Office of the Secretary

Attn: Full Commission

APPLICATION FOR REVIEW

California Radio Partners, Inc., ("CRP") by its counsel, pursuant to Section 1.115 of the Commission's rules files this Application for Review of the letter ruling of the Office of Managing Director to CRP dated March 27, 2013,<sup>1</sup> in the above-captioned matter ("OMD Letter"). In support thereof, the following is shown:

Background:

CRP was the successful bidder in Auction 68 for an FM frequency at Covelo, California, and subsequently paid a \$3,210.00 filing fee in conjunction with the related FCC Form 301 long form application for construction permit for new station. On March 14, 2011, CRP filed a letter request with the Office of the Managing Director seeking full reimbursement of CRP's filing fee on the basis that Section 1.2107(c) of the Commission's rules in effect at the time of Auction 68, on the date CRP filed its subsequent Form 301 application, and on the date CRP filed its refund request provided in relevant part as follows:

Notwithstanding any other provision in Title 47 of the Code of Federal Regulations to the contrary, high bidders need not submit an additional

<sup>1</sup>Copy attached hereto and incorporated herein by reference.

application filing fee with their long-form applications.

The Commission granted CRP's refund request and remitted full reimbursement to CRP on May 27, 2011. Nearly two full years later, the OMD Letter avers that the refund was "erroneous" based on "staff error" and that the refunded amount is now a debt to the United States which must be paid "as demanded" or CRP will be reported to the credit bureaus, referred to the U.S. Department of Justice for collection, referred to the U.S. Department of Treasury for litigation and collection, and be subject to further fees, charges and sanctions permitted by law.<sup>2</sup>

This matter appears to be one of first impression for the full Commission.

Questions Presented:

The Commission is respectfully requested to review

- (1) Whether OMD's finding, pursuant to delegated authority, that CRP is in debt to the United States in the amount of its long form application filing fee violates or conflicts with applicable Commission rules and, as such, is unenforceable [74 CFR 1.115(b)(2)(i)];
- (2) The OMD Letter insofar as it involves issues addressed herein which have not previously been resolved by the full Commission [74 CFR 1.115(b)(2)(ii)]; and
- (3) Whether the timing of the OMD Letter's payment demand nearly two years after the underlying refund was granted violates or conflicts with applicable Commission rules and, as such, is unenforceable [74 CFR 1.115(b)(2)(i)];
- (4) Whether the OMD Letter's payment demand nearly two years after the underlying refund was issued establishes a precedent or policy which should be overturned [74 CFR 1.115(b)(2)(iii)];

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<sup>2</sup> Subject to the outcome of this Application for Review, CRP has paid the demand in full under protest out of an abundance of caution with all rights reserved in order to avoid the dire consequences expressed in the OMD Letter's warning about failure to make a timely payment. Copy attached hereto. The Commission is respectfully requested to refund this amount to CRP in full upon the grant of this Application for Review.

## Discussion

It is beyond peradventure that the Commission is required to follow its own rules. See, e.g., McElroy Elec. Corp. v. FCC, 990 F.2d 1351 (D.C. Cir. 1993) and Reuters Ltd. v. FCC, 781 F.2d 946, 950 (D.C. Cir. 1986), et. al. On the dates which CRP participated in Auction 68, paid its application filing fee, and later sought and successfully received a refund thereof, Section 1.2107(c) of the Commission's rules stated that "[n]otwithstanding any other provision of Title 47 of the Code of Federal Regulations to the contrary" a high bidder will not be required to pay an application filing fee with its long-form application. This section was promulgated pursuant to a full notice and comment rule making proceeding as required by the Administrative Procedure Act. This statutory language not could be clearer and unambiguous.

By ignoring the fundamental requirement that the Commission follow its own rules, the OMD Letter violates and utterly fails to address Section 1.2107(c) of the rules. OMD is certainly aware of Section 1.2107(c) as it served as a basis for CRP's 2011 refund request. The public interest in ensuring the predictability and reliability of Commission rules requires a cogent explanation and the Administrative Procedure Act<sup>3</sup> requires reasoned decision making in all cases. If Section 1.2107 does not apply to CRP and similarly-situated high bidders, the Commission must provide the reasoned basis for its conclusion. To do otherwise is arbitrary and capricious.

In June 2011, the Commission modified Section 1.2107 to read as follows: "[e]xcept as otherwise provided in Section 1.1104, high bidders need not submit an additional application filing fee along with their long form applications." See, Amendment of the

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<sup>3</sup> 5 U.S.C. §706(2)(A).



Schedule of Application Fees Set Forth in Sections 1.1102 through 1.1109 of the Commission's Rules, Report and Order, ("Second Order") 26 FCC Rcd 9055 (2011).<sup>4</sup> That proceeding characterizes the Section 1.2107 modification as a clarification of language which, according to the Commission, merely "suggests" that broadcast auction high bidders are not required to pay a long form application fee. Further, the Second Order states that the change is a "matter of agency procedure that does not substantially affect the rights of non-agency parties" (Second Order @ parag 1-3). When compared to the precision of the "notwithstanding" clause which it replaced, these characterizations are, at best, post hoc rationalization. The sweeping "notwithstanding" language is crystal clear in creating rights for auction high bidders and requires no clarification. Eliminating it plainly affects the rights of non-agency parties, such as CRP, by foreclosing a right to an application fee exemption. In any event, while it may be a proper agency function to modify its rules through appropriate further public notice and comment rulemaking, such modification is prospective only and cannot apply retroactively to CRP or similarly situated parties. CRP's refund request was granted during the period that the Commission was actively contemplating modifying Section 1.2107(c) of the rules pursuant to full notice and comment rule making.<sup>5</sup> At the very least, this suggests intentional disposition that proposed modifications to Section 1.2107(c) then under active consideration by the Commission did not adversely affect CRP's right to receive a refund.

Any Commission intention to override the "notwithstanding" language appearing in Section 1.2107 in the case of broadcast applications did not have the force of a Commission rule at any time applicable to the grant of CRP's refund. As such, that intention may be

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<sup>4</sup> The modification, not yet a final order, is subject to unresolved petitions for reconsideration.

<sup>5</sup> Rule Change NPRM released March 2011. CRP Refund granted May 2011. Rule Change R&O released June 2011.

categorized as agency dicta or policy. A properly adopted substantive rule, such as the unmodified section 1.2107, establishes a standard of conduct which has the force of law. In subsequent administrative proceedings involving a substantive rule, the issue is whether the adjudicated facts conform to the rule. A general statement of policy, on the other hand, does not establish a binding norm. An agency cannot apply or rely upon a general statement of policy as law. See, e.g., Pacific Gas and Elec v FPC 506 F.2d 33, (D.C. Cir. 1974)

The OMD Letter states that the basis for CRP's alleged indebtedness rests on an "erroneous refund" and undefined "staff error." These oblique statements are a far cry from a reasoned explanation as to the factors which resulted in the alleged error.

The OMD Letter continues that winning bidders in a media service auction must file long form construction permit applications accompanied by the statutorily established application fee, citing Implementation of Section 309(j) of the Communications Act – Competitive Bidding for Commercial Broadcast and Instructional Television Fixed Service Licenses, MM Docket No. 97-234, First Report and Order, 13 FCC Rcd 15920, parag. 164, (1998) ("Broadcast Auction Report and Order") and Auction of FM Broadcast Construction Permits Closes, 22 FCC Rcd 518, 523 (2007) ("Auction 68 Closing Notice"). The referenced documents are unavailing.

The Broadcast Auction Report and Order language concerning the payment of long form application fees cannot, perforce, override the unambiguous "notwithstanding" proviso existing in Section 1.2107 of the rules at the time CRP paid its application fee and was granted its refund. Furthermore, although the primacy of the "notwithstanding" language resolves all discussion as to CRP's long form filing fee exemption, the application filing fee language appearing in the Broadcast Auction Report and Order was not published in the

Federal Register until March 27, 2013,<sup>6</sup> roughly 15 years after the Broadcast Auction Report and Order was released, six years after CRP paid its application fee, two years after the fee refund was granted, and on the same date appearing on the OMD Letter. Per its own terms, the Broadcast Auction Report and Order would become effective only following Federal Register publication and, therefore, has no effect on CRP's 2011 refund. See, also, 5 U.S.C. Section 553

Similarly, the Auction 68 Closing Notice language calling for the payment of long form application fees cannot override the unambiguous "notwithstanding" proviso found in Section 1.2107. No Public Notice can modify a rule adopted in a notice and comment rule making proceeding. Moreover, while the Auction 68 Closing Notice stated that the high bidder pay an application fee, refund of that fee is mandated by Section 1.1115(a)(1) of the Commission's rules which specifies in relevant part that the full amount of any fee submitted will be returned or refunded "[w]hen no fee is required for the application." This rule plainly anticipates instances in which the Commission will collect and process fees which are not required. In CRP's situation, Section 1.2107 mandated that no fee was required for CRP's long form application. The Commission ratified that mandate in issuing CRP's refund.

The OMD Letter fails to address or cite any authority to show that the Commission's decision to renege on CRP's fee refund is timely. The agency action granting the refund request occurred nearly two years ago. Review or stay of Commission actions on its own motion are time limited to a maximum 40 days for actions taken pursuant to delegated authority. See, e.g., Sections 1.4(b)(5), 1.113 and 1.117 of the Commission's rules. The

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<sup>6</sup> 78 FR 18527



OMD Letter is utterly silent as to the Office of Managing Director's authority to reverse its refund to CRP on its own motion nearly two years after the fact and well beyond the times expressed in the Commission's rules for stay and review of its actions. The OMD Letter is also silent as to how the public interest in administrative finality as well as fundamental fairness of the ability of Commission regulatees to rely on the stability and authority of unopposed Commission action is served by the Office of Managing Director, under delegated authority, waiting nearly two years to reverse itself. The OMD Letter's failure to demonstrate that the timing of its demand for payment comports with Commission rules is arbitrary and capricious. Counsel is not aware of any Commission rule or policy affording a Bureau or Division a nearly two year opportunity to reverse itself or to establish its own reconsideration timing conventions. Moreover, permitting the OMD to unilaterally claim such right on its own motion over reaches its authority and sets a dangerous precedent contrary to the public interest in the reliability and finality of Commission actions.

The Commission is required to provide "full and explicit notice of all prerequisites" for application processing. McElroy Electronics Corp. v. FCC, 990 F.2d 1351, 1358 (DC Cir. 1993); See, also, Salzer v. FCC, 778 F.2d 869, (D.C. Cir. 1985), (fundamental fairness requires that the Commission's exacting standards require full and explicit notice of all prerequisites for such standards.); Bamford v. FCC, 535 F.2d 78, 82 (D.C. Cir. 1976) ("elementary fairness requires clarity of standards sufficient to apprise an applicant of what is expected"), *cert. denied*, 429 U.S. 895 (1976). Plainly, the OMD Letter expects to elicit an application fee. At all times relevant to the grant of CRP's application fee refund, Section 1.2107 provided that "notwithstanding" any provision in Title 47 to the contrary, high bidders need not submit an additional filing fee with their long form applications. The rule

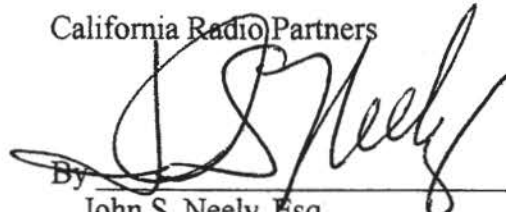
afforded high bidder CRP a legally cognizable expectation that no application fee was required. Under Commission procedures in place at the time, CRP's only recourse was to pay the fee and seek a refund thereof which, in fact, occurred in good faith. Now, nearly two years later, the OMD Letter states that failure to pay the application fee will result in numerous harsh sanctions including, but not limited to, reporting to the credit bureaus, garnishment, litigation and/or collection with the Department of the Treasury and the Department of Justice, and all "other [unidentified] sanctions permitted by law." In the process of revising Section 1.2107, the Commission acknowledged inconsistency in its intended procedures. Assuming, arguendo, that the OMD Letter is correct in its application of relevant Commission rules, the record in this proceeding, including the Commission's own finding of inconsistency in its high bidder application fee rule, demonstrates that, as applied to CRP and all similarly situated parties, the Commission failed to meet the "clarity of standards sufficient to apprise an applicant of what is expected" concerning the high bidder application fee. As such, it is an improper exercise of agency discretion for the OMD letter to reverse CRP's refund. This Application for Review is grantable on this basis alone.

Based on the foregoing, the Commission is respectfully requested to grant review of the OMD Letter, find that the letter contravenes established Commission rules, exceeds the OMD's delegated authority, and establishes precedent which should be overturned. Upon granting review, the Commission is further requested to reimburse CRP's application fee as set forth in footnote 2, above.



Respectfully Submitted,

California Radio Partners

By   
John S. Neely, Esq.  
Its Counsel

Miller and Neely, PC  
3750 University Blvd., West  
Suite 203  
Kensington, MD 20895  
301-933-6304

April 25, 2013

FEDERAL COMMUNICATIONS COMMISSION  
Washington, D. C. 20554

Received & Inspected

APR 26 2013

OFFICE OF  
MANAGING DIRECTOR

March 27, 2013

FCC Mail Room

Tom Yates, President  
California Radio Partners  
110 S. Franklin Street  
Fort Bragg, CA 95437-4202

Re: Erroneous Refund of Long Form  
Application Fee  
FRN 0003763364

**IMPORTANT NOTICE OF A DEBT OWED TO THE UNITED  
STATES PAYABLE WITHIN THIRTY (30) DAYS**

Dear Mr. Yates:

Pursuant to 47 C.F.R. § 1.1911, this is a demand for payment of a debt owed to the United States. This letter notifies you of (a) the basis for your indebtedness; (b) your rights; (c) additional charges; (d) consequences for failing to pay; (e) the date by which payment should be made to avoid late charges and enforced collection; and (f) payment and contact information.

Demand is hereby made for payment of \$3,210.00 (the "Debt") to the Federal Communications Commission (the "Commission") within 30 days of the date of this letter (the "due date"). Payment of the Debt must be sent addressed to the Commission at the following address: U.S. Bank, P.O. Box 979088, St. Louis, MO 63197-9000. To ensure that you receive proper credit for your payment, you must include a completed Form 159 with your payment, using MTR as the payment transaction code on the Form 159. A copy of the Form 159 is enclosed.

If you do not pay or otherwise resolve the Debt by the due date, interest at the Treasury rate will begin to accrue on the Debt, beginning on the day after the due date (the delinquency date) and will continue accruing until all amounts owed to the Commission hereunder are paid in full. If you do not pay the Debt by the due date, you will also owe the Commission an administrative fee of \$50 to defray the Commission's cost of processing and handling your delinquent Debt. If you pay the Debt to the Commission within thirty days of the delinquency date, the Commission will waive the accrued interest on the Debt and its administrative fee.

Further, if you do not pay all amounts owed hereunder within 90 days of the due date, an additional penalty rate of 6% per annum will begin to accrue on that portion of the Debt that remains outstanding until all debt owed to the Commission hereunder is paid in full or is otherwise resolved to the Commission's satisfaction.

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FCC Mail Room

**The Basis for Your Indebtedness**

The basis for your indebtedness is the erroneous refund made to you by Commission staff on May 27, 2011 of a long form application fee that you had correctly paid on February 23, 2007 in conjunction with your winning bid in Auction 68. The Commission requires winning bidders in media service auctions to file long form construction permit applications accompanied by the statutorily established application fee. *Implementation of Section 309(j) of the Communications Act -- Competitive Bidding for Commercial Broadcast and Instructional Television Fixed Service Licenses*, MM Docket No. 97-234, First Report and Order, 13 FCC Rcd 15920, 15984 (1998). The Public Notice issued after the close of Auction 68 provided that "In accordance with the Commission's rules, electronic filing of FCC Form 301 must be accompanied by the appropriate application filing fee." *Auction of FM Broadcast Construction Permits Closes*, 22 FCC Rcd 518, 523 (2007) (*Auction 68 Closing Notice*). The fact that you paid the fee in the correct amount at the time specified demonstrates that you had actual and timely notice of this requirement and are therefore bound by its terms. *United States v. Mowat*, 582 F.2d 1194, 1201-02 (9<sup>th</sup> Cir. 1978); *United States v. Aarons*, 310 F.2d 341, 348 (2<sup>nd</sup> Cir. 1962). Therefore, the money erroneously refunded to you is the basis of the Debt you owe to the United States.

The staff error in issuing a refund does not affect the fact that a debt is owed nor does it affect the Commission's duty to demand its repayment. Absent a statutory barrier, not present here, the Government must recover funds which its agents have wrongfully, erroneously, or illegally paid. *United States v. Wurts*, 303 U.S. 414, 415-16 (1938); *Amtec Corp. v. United States*, 69 Fed. Cl. 79, 88 (2005), *aff'd*, 239 Fed. Appx. 585 (Fed. Cir. 2007); *Aetna Casualty and Surety Co. v. United States*, 208 Ct. Cl. 515, 526 F.2d 1127 (Fed. Cir. 1975), *citing Fansteel Metallurgical Corp. v. United States*, 172 F.Supp. 268, 270 (Ct. Cl. 1959) ("When a payment is erroneously or illegally made...it is not only lawful but the duty of the Government to sue for a refund thereof...").

**Your Rights**

If you wish to submit a written request to (1) inspect or copy records relating to the Debt, (2) request a review of the basis for the Debt, 47 C.F.R. §1.1911(d); or (3) enter into an agreement to repay the Debt in installments, 47 C.F.R. § 1.1914, you must do so within fifteen (15) days of the date of this letter by sending either a letter or an e-mail specifying the nature of your request to the Commission at the address shown below. You must include with your request to repay the Debt in installments a current financial statement, executed under penalty of perjury, showing your assets, liabilities, income, and expenses, and demonstrating your financial inability to pay your Debt in full on the due date, as well as any other relevant verified documentation supporting your request. The Commission may also require you to provide additional documents that it deems necessary to support your request for installment payments and, in any event, any decision to grant or deny your request is in the sole discretion of the Commission. If you do not exercise your right to request inspection and copying of documents and/or to request an installment payment plan and/or to request a review of the basis for the Debt within the 15 days of the date of this letter, you will be deemed to have waived any right not exercised. You may also file either a petition for reconsideration or an application for review of this demand letter within 30 days of its release, as provided at 47 C.F.R. §1.104(b).



Finally, you may submit a written request (via letter or email) to the Commission to compromise the Debt pursuant to 47 C.F.R. §1.1915. Your request must include a full written justification of your request to compromise the Debt, must address the bases of compromise set forth in 31 C.F.R. §902.2 and must include verified financial information sufficient to justify the requested compromise.

### **Consequences for Failing to Pay**

In addition to assessing interest, penalties and costs, the Commission is required to take any appropriate steps to collect delinquent debt and will do so in this case without further notice to you if the Debt is not paid as demanded above. Those steps include:

- Immediately offsetting the Debt against any debts owed to you by the Commission.
- Referring the Debt to the United States Department of Treasury for further collection including via centralized offset of the Debt against any payments (e.g. income tax refunds, contractor/vendor payments and any other non-exempt Federal payments) owed to you by the United States or via private debt collection agencies used by Treasury to collect debt. The Commission is required to refer debt that has been delinquent for 180 days or more to the Treasury Department for collection and may refer the Debt to the Treasury Department any time after the due date. If the Commission refers your Debt to the Treasury Department, the Treasury Department will assess additional charges against you.
- Reporting the Debt and your payment history to credit bureaus.
- Referring the Debt to the United States Department of Justice for litigation and collection, resulting in additional charges to you.

Pursuant to 47 C.F.R. § 1.1910(b)(2), the Commission will also withhold action on or dismiss all applications you have filed, including applications for a license, permit, other privileges or fee waivers, and petitions for reconsideration, until full payment of the delinquent Debt or until an arrangement to pay the Debt is made. The remedies and sanctions enumerated above or otherwise provided for in 47 C.F.R. § 1.1901 *et seq.* are not exclusive. Pursuant to 47 C.F.R. § 1.1942 the Commission may impose other sanctions permitted by law for any inexcusable, prolonged, or repeated failure to repay your Debt.

### **Contact Information**

Written requests to inspect and copy records, to obtain a review of the basis of your indebtedness, enter into an installment payment plan, or compromise the Debt should be sent to the

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APR 26 2013

FCC Mail Room

undersigned. In addition, if you have questions about this demand letter, please contact the undersigned.

Mark Stephens  
Chief Financial Officer  
Federal Communications Commission  
445 12<sup>th</sup> Street S.W., Room 1-A623  
Washington, D.C. 20554

Phone: (202) 418-0817  
Email: [Mark.Stephens@fcc.gov](mailto:Mark.Stephens@fcc.gov)

Sincerely,

A handwritten signature in black ink, appearing to read 'Mark Stephens', is written over a horizontal line.

Mark Stephens  
Chief Financial Officer

LAW OFFICES

**MILLER AND NEELY, P.C.**

SUITE 203

3750 UNIVERSITY BLVD. W.

KENSINGTON, MD 20895

JERROLD D. MILLER  
JOHN S. NEELY\*

\*ADMITTED PA AND DC ONLY

PHONE: (301) 933-6304  
FAX: (301) 933-6306  
MANDNLAW@GMAIL.COM

April 24, 2013

Received & Inspected

APR 26 2013

FCC Mail Room

Federal Communications Commission  
c/o US Bank  
P.O. Box 979088  
St. Louis, MO 63197

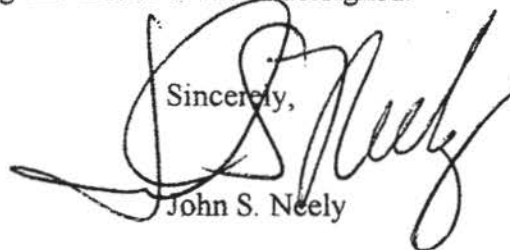
RE: **California Radio Partners**  
FRN 0003763364

Dear Madam Secretary:

Transmitted herewith on behalf of California Radio Partners ("CRP") is FCC Form 159 along with a check payable to the FCC in the amount of \$3,210. This check is remitted in response to that certain "Notice of Debt" letter from the Commission's Office of Managing Director, dated March 27, 2013, copy attached hereto.

You are advised that CRP disagrees strongly with the Office of Managing Director's conclusion that CRP is indebted to the United States in this amount. Contemporaneously with this remittance, CRP has filed an Application for Review of this matter with the full Commission. You are advised further this remittance is made expressly under protest with all rights reserved and contingent upon the pending Application for Review.

Please address any questions concerning this matter to the undersigned.

Sincerely,  
  
John S. Neely

ATTS.



READ INSTRUCTIONS CAREFULLY  
BEFORE PROCEEDING

FEDERAL COMMUNICATIONS COMMISSION  
REMITTANCE ADVICE

Approved by OMB  
3060-0159  
Page 1 of 1

(1) LOCK BOX # 979088		SPECIAL USE ONLY	
		FCC USE ONLY	
SECTION A - PAYER INFORMATION			
(2) PAYER NAME (if paying by credit card enter name exactly as it appears on the card) California Radio Partners		(3) TOTAL AMOUNT PAID (U.S. Dollars and cents) \$3,210	
(4) STREET ADDRESS LINE NO. 1 c/o Miller and Neely, PC		Received & Inspected APR 26 2013 FCC Mail Room	
(5) STREET ADDRESS LINE NO. 2 3750 University Blvd, West Suite 203			
(6) CITY Kensington			
(7) STATE MD		(8) ZIP CODE 20895	
(9) 301-933-6304		(10) COUNTRY CODE (if not in U.S.A.)	
FCC REGISTRATION NUMBER (FRN) REQUIRED			
(11) PAYER (FRN) 0003-7633-64		(12) FCC USE ONLY	
IF MORE THAN ONE APPLICANT, USE CONTINUATION SHEETS (FORM 159-C) COMPLETE SECTION BELOW FOR EACH SERVICE. IF MORE BOXES ARE NEEDED, USE CONTINUATION SHEET			
(13) APPLICANT NAME			
(14) STREET ADDRESS LINE NO. 1			
(15) STREET ADDRESS LINE NO. 2			
(16) CITY		(17) STATE	(18) ZIP CODE
(19) DAYTIME TELEPHONE NUMBER (include area code)		(20) COUNTRY CODE (if not in U.S.A.)	
FCC REGISTRATION NUMBER (FRN) REQUIRED			
(21) APPLICANT (FRN)		(22) FCC USE ONLY	
COMPLETE SECTION C FOR EACH SERVICE. IF MORE BOXES ARE NEEDED, USE CONTINUATION SHEET			
(23A) CALL SIGN/OTHER ID	(24A) PAYMENT TYPE CODE MTR	(25A) QUANTITY one	
(26A) FEE DUE FOR (PTC) 3,210	(27A) TOTAL FEE 3,210	FCC USE ONLY	
(28A) FCC CODE 1		(29A) FCC CODE 2 BNPH-20070223AHF	
(23B) CALL SIGN/OTHER ID	(24B) PAYMENT TYPE CODE	(25B) QUANTITY	
(26B) FEE DUE FOR (PTC)	(27B) TOTAL FEE	FCC USE ONLY	
(28B) FCC CODE 1		(29B) FCC CODE 2	

THE COAST KOZT-FM  
110 S. FRANKLIN STREET  
FORT BRAGG, CA 95437  
(707) 964-7277

PORT BRAGG OFFICE  
**Savings Bank**  
OF MENDOCINO COUNTY  
470 SOUTH FRANKLIN STREET, P.O. BOX 1248  
FORT BRAGG, CALIFORNIA 95437-1248  
90-406-1211

23099

4/18/2013

\$ \*\*3,210.00

DOLLARS

Three Thousand Two Hundred Ten and 00/100\*\*\*\*\*

Federal Communications Commission  
c/o U.S. Bank  
P.O. Box 979088  
St. Louis MO 63197-9000

VOID AFTER 90 DAYS

Paid under protest/subject to  
FRN 0003-7633-64 Application for Review.  
All Rights Reserved.

  
AUTHORIZED SIGNATURE

Security features. Details on back.